

CALENDAR ITEM

C44

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04/23/15

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PRC 6884.1

G. Asimakopoulos

**GENERAL LEASE – RECREATIONAL AND
PROTECTIVE STRUCTURE USE**

APPLICANT:

John J. Corcoran, III, Trustee of the John J. Corcoran, III Family Trust (Trust A)
Created December 16, 2012 UDT Dated June 15, 2004

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in the Sacramento River, adjacent to 7651 Garden
Highway, near the city of Sacramento, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing single-berth floating boat dock
with removable tarpaulin cover, ramp, one wood piling, a two-pile wooden
dolphin, and bank protection.

LEASE TERM:

10 years, beginning August 1, 2015.

CONSIDERATION:

**Single-Berth Floating Dock with Removable Tarpaulin Cover, Ramp, One
Wooden Dolphin, and Two-Pile Wooden Dolphin:** \$255 per year, with an
annual Consumer Price Index adjustment.

Bank Protection: The public use and benefit, with the State reserving the right
at any time to set a monetary rent if the Commission finds such action to be in
the State's best interests.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.

CALENDAR ITEM NO. **C44** (CONT'D)

2. On April 26, 2005, the Commission authorized a 10-year General Lease - Protective Structure and Recreational Use with John J. Corcoran III and Carol A. Corcoran, Co-Trustees of the Corcoran Family Trust, Dated June 15, 2004. That lease will expire on July 31, 2015. On February 14, 2013, John J. Corcoran, III, Successor Trustee of the Corcoran Family Trust Dated June 15, 2004, deeded the upland parcel to John J. Corcoran, III, Trustee of the John J. Corcoran, III Family Trust (Trust A) Created December 16, 2012 UDT Dated June 15, 2004. The Applicant is now applying for a General Lease – Recreational and Protective Structure Use.
3. The bank protection will mutually benefit both the public and the Applicant. The bank of the Sacramento River will have additional protection from wave action provided at no cost to the public.
4. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

CALENDAR ITEM NO. **C44** (CONT'D)

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational and Protective Structure Use to John J. Corcoran, III, Trustee of the John J. Corcoran, III Family Trust (Trust A) created December 16, 2012 UDT dated June 15, 2004, beginning August 1, 2015, for a term of 10 years, for the continued use and maintenance of an existing single-berth floating boat dock with removable tarpaulin cover, ramp, one wood piling, a two-pile wooden dolphin, and bank protection, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration for the single-berth floating boat dock with removable tarpaulin cover, ramp, one wood piling, and two-pile wooden dolphin: \$255 per year, with an annual Consumer Price Index adjustment; consideration for the bank protection: the public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 6884.1

LAND DESCRIPTION

A parcel of tide and submerged land situate in the bed of the Sacramento River, lying adjacent to Swamp and Overflow Survey 924, patented August 24, 1870 of the County of Sacramento, State of California, and more particularly described as follows:

PARCEL 1 – DOCK

All those lands underlying an existing single-berth floating boat dock, 2-pile dolphin, one (1) piling and ramp lying adjacent to that parcel as described in that Individual Quitclaim Deed recorded June 25, 2004 in Book 20040625 Page 0167 of Official Records of said County.

TOGETHER WITH any applicable impact area(s).

ALSO TOGETHER WITH that land lying immediately beneath any bank protection structure lying adjacent to said parcel.

EXCEPTING THEREFROM any portion(s) lying landward of the Ordinary High Water Mark of the Sacramento River.

Accompanying plat is hereby made a part of this description.

END OF DESCRIPTION

Prepared November 3, 2014 by the California State Lands Commission Boundary Unit.



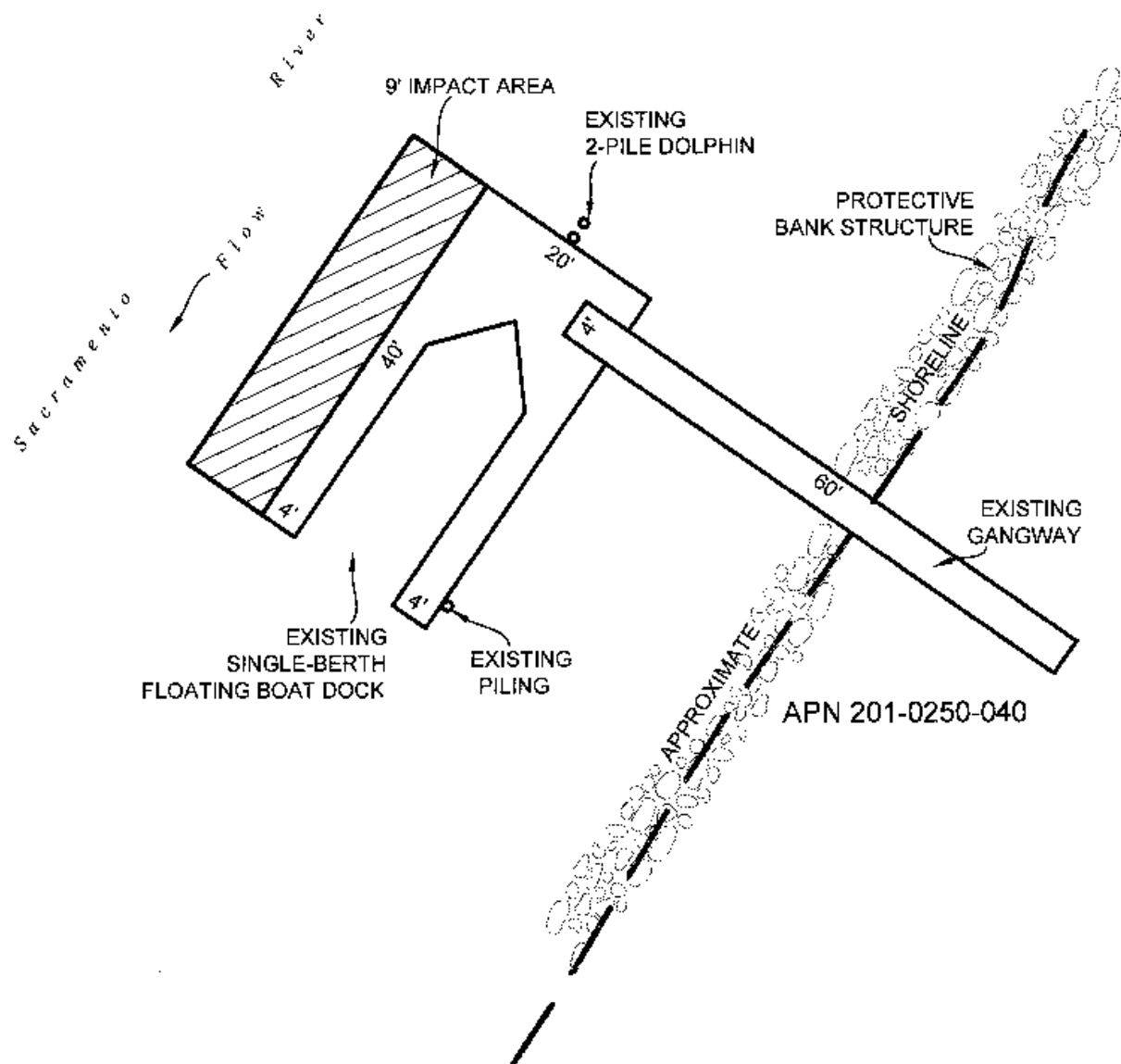


EXHIBIT A

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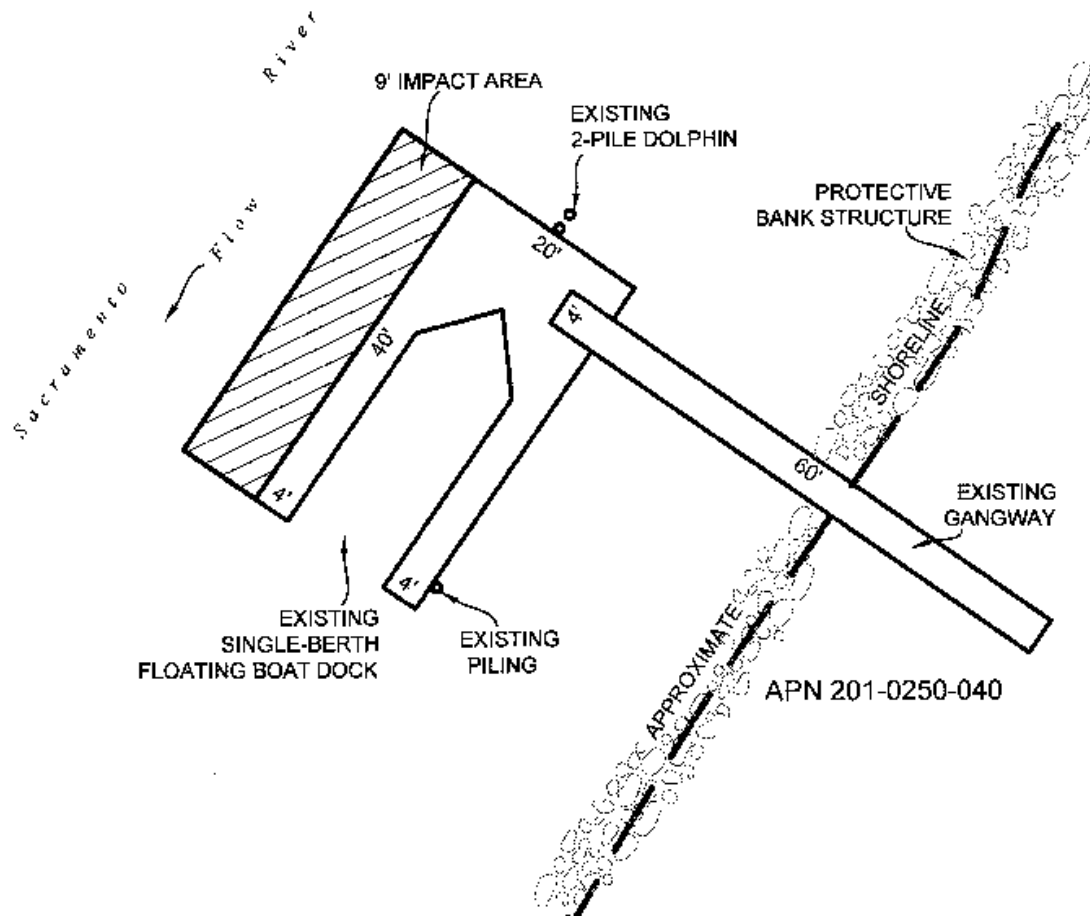
LAND DESCRIPTION PLAT
PRC 6884.1, CORCORAN FAMILY TRUST
SACRAMENTO COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

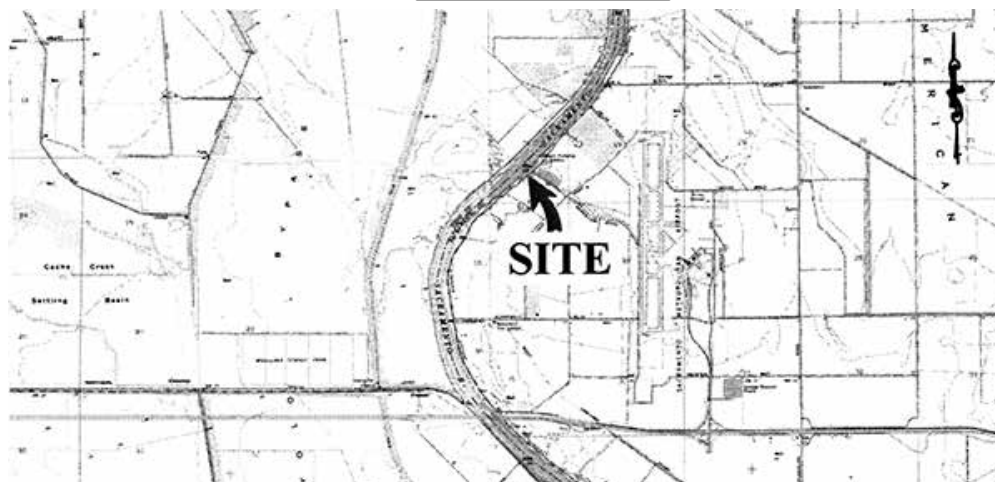
SITE



7651 GARDEN HWY., SACRAMENTO

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit B

PRC 6884.1
CORCORAN FAMILY TRUST
APN 201-0250-040
GENERAL LEASE -
RECREATIONAL &
PROTECTIVE STRUCTURE USE
SACRAMENTO COUNTY



MJT 11/3/14